

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

MELISSA FRIEND, as Parent and
Next Friend of M. M.-F.,

Plaintiff,

v.

WAL-MART STORES, INC.,

Defendant.

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**NOTICE OF REMOVAL FROM
PRINCE GEORGE'S COUNTY, MD
CASE NO.: CAL14-12515
CIVIL ACTION NO. _____**

PETITION FOR REMOVAL

Pursuant to 28 U.S.C., Section 1441(a), the Defendant, Wal-Mart Stores, Inc., respectively notices the removal of the above-captioned matter to this Honorable Court from the Circuit Court for Prince George's County, Maryland, and as grounds therefor states as follows:

1. On or about August 1, 2014, the Defendant, Wal-Mart Stores, Inc. was served with an Amended Complaint in an action commenced by Melissa Friend, as Parent and Next Friend of M. M.-F. in the Circuit Court for Prince George's County, Maryland (Case No. CAL14-12515), which for the first time asserted that the amount in controversy exceeded \$75,000. A true and correct copy of the Amended Complaint is attached hereto as Exhibit A.)¹

2. This Petition for Removal is filed within thirty (30) days of receipt of service by the Defendant of the Amended Complaint and is therefore, is timely filed pursuant to 28 U.S.C., Section 1446(b).

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SICILIANO, GALLAGHER,
& DeBLASIS, LLP

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¹ The original demand was for \$74,999. Copies of the original Complaint and Summons are attached as Exhibits B and C, respectively.

3. Pursuant to the Federal Rules of Civil Procedure, the Defendant filed Notice of Removal with the Circuit Court for Prince George's County, Maryland on August 1, 2014. A copy of Defendant's Notice of Removal is attached hereto and incorporated herein by reference as Exhibit D.

4. In the Amended Complaint, Plaintiff seeks judgment against this Defendant in the amount of Seventy-Five Thousand Dollars (\$75,000) in compensatory damages, plus interest and costs.

5. At the time of commencement of this action, Plaintiff was and is now a resident of the State of Maryland.

6. At the time of commencement of this action, and at all other times relevant to the subject proceeding, Defendant Wal-Mart Stores, Inc.'s principal place of business was Bentonville, Arkansas, and Wal-Mart Stores, Inc. is incorporated in the State of Delaware.

7. As this is a civil action wherein the amount in controversy exceeds \$75,000, exclusive of interest and costs, this Honorable Court has diversity of jurisdiction over this matter pursuant to 28 U.S.C., Section 1332.

8. The Petitioner presents and files herewith a check in the amount of \$400 for the filing fee, as required by law.

WHEREFORE, the Defendant, Wal-Mart Stores, Inc., respectfully requests to remove this action from the Circuit Court for Prince George's County, Maryland to the United States District Court for the District of Maryland.

DeCARO, DORAN,
SICILIANO, GALLAGHER,
& DeBLASIS, LLP

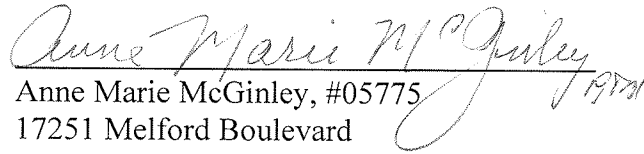
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Respectfully submitted,

DeCARO, DORAN, SICILIANO,
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By:



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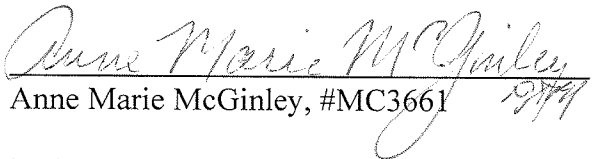
Email: amcginley@decarodoran.com

Counsel for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of August, 2014, a copy of the foregoing Petition
for Removal was forwarded, postage prepaid, via first-class mail, to:

Mark Rosasco, Esquire
Hyatt & Weber, P.A.
200 Westgate Circle
Suite 500
Annapolis, Maryland 21401
Counsel for Plaintiff



Anne Marie McGinley, #MC3661

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